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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,593	06/26/2003	Takeshi Ikari	7217/69505	5047
7590 09/20/2005				
JAY H. MAIOLI Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036			EXAMINER WRIGHT, INGRID D	
			ART UNIT 2835	PAPER NUMBER

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,593

Applicant(s)

IKARI ET AL.

Examiner

Ingrid Wright

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiozaki et al. (6781634 B1) in view of Inoue (US 6714248).

With respect to claim 1, Shiozaki et al. teaches (Fig. 7) an electronic device having a battery storage container (28), a recording medium storing part (22) and plurality of circuit boards (71-75). The recording medium storing part (22) and the circuit boards (71-75) surround most of the outside of the battery storage container (28).

Shiozaki et al. fails to teach the circuit boards surrounding the outside of the container except at the opening.

It would have been obvious to one of ordinary skill in the art to place circuit boards at any location around the battery storage container based upon the space available and size of the device. The more circuit boards needed, the more area would be used, thus leaving the opening clear in order for the device to be operative. Where a

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part of a device may be relocated without modification to the operation of the device, such a relocation is considered to have been within the skill of the art. In re Japikse, 86 USPQ 70 (1950).

Shiozaki does not teach a plurality of circuit boards placed in a nonoverlapping relationship.

Inoue teaches (Fig. 3) a battery storing container (not labeled) containing batteries (18) parallel to the component sides of a plurality of circuit boards (2,3) in a nonoverlapping relationship.

Since the inventions of Inoue and Shiozaki et al. are in the same field of endeavor (electronic imaging), the invention of Inoue would be realized in the invention of Shiozaki et al.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the battery and board internal arrangement as taught by Inoue in the invention of Shiozaki et al., in order to provide a miniaturized electronic device by efficiently arranging the internal components of an electronic apparatus (col. 1, lines 58-61 of Inoue). Placing the circuit boards in a nonoverlapping arrangement would help reduce heat buildup within the system from the components on the boards.

With respect to claim 2, Shiozaki teaches (Fig. 7) a circuit board (71) comprises an image display unit (13).

With respect to claim 3, Shiozaki teaches (Fig. 7) the shape of the battery storage container (28) of the device having 5 planar sides (front, back, left, right, bottom and one curved side (top) - see attachment).. The recording medium storing part (22) is located on the left side of the battery storage container (28) perpendicular to the front face, which includes the opening. Circuit boards are additionally disposed on the bottom, left and top sides of the battery storage container (28). It is noted that while each individual face of the battery storing container (28) does not have a specific board associated with it, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to place the boards on any face or in any location due to the space available within the device. Where a part of a device may be relocated without modification to the operation of the device, such a relocation is considered to have been within the skill of the art. In re Japikse, 86 USPQ 70 (1950). It further would have been obvious for all of the sides of the battery storage container to be planar of any shape necessary to fit within the device.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571) 272-8392. The examiner can normally be reached on M-F.

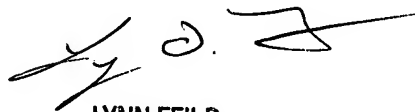
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/16/05

IDW



LYNN FEILD
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